

COBBETT'S WEEKLY POLITICAL REGISTER.

[635]

LONDON, SATURDAY, JUNE 6, 1818.

[626]

NOTIFICATION.

The following Petition was presented by Lord COCHRANE on Tuesday last, and in part read, to the "Honourable House": but the startled ears of its Auditors could not endure the whole of it. It appears to have been especially grating to the ears of one Mr. FAZAKERLEY, the sound of whose extraordinary name might, one would think, reconcile him to the hearing of any thing. In the midst of it, therefore, he luckily discovered that there were not so many as *forty* pair of ears in the House, a number by no means sufficient to sustain the shock of so tremendous a volley. Quarter being thus demanded, the firing ceased; but, were it only to vindicate the courage of the Members present, the Publisher hopes he is justified in calling upon the Public to hear it but for, certainly, so powerful a Battery was never before opened on so small a party of the Enemy, or on so *ruinous* a House.

TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND IN PARLIAMENT ASSEMBLED.

The Petition of William Cobbett of Botley, Hafts, now residing in Queen's County in the State of New York, this 24th of March, 1818,

Most humbly sheweth,

That your Petitioner is well aware, that your Honourable House must fully recognize *Resistance of Oppression* to be the birth-right of every subject of the king, born in the British Dominions; but, that, as it is the inten-

tion of your humble Petitioner, before he closes this his Petition, to declare most explicitly to your Honourable House, that, in certain contingencies to be by him mentioned, it is his resolution, opportunity serving, to employ such resistance to the utmost of his power, and also to urge, advise, and aid others, his countrymen, to employ such resistance, he thinks it right, first, to state to your Honourable House, the notions which he has imbibed from law and history relative to the nature of Oppression and to the time and mode of Resistance; because, in this case as in all others, to err in premises and principles must naturally lead to erroneous conclusions and unjust deeds; and because, in a matter of such moment, your Petitioner is uncommonly anxious to show, that he has clear reason as well as substantial justice for the groundwork of the determination which he intends to communicate, in the most solemn manner, to your Honourable House.

As to the nature of Oppression, in its political sense, it appears to your Petitioner, that this scourge of mankind exists, when a people, or any part of a people, is unjustly and cruelly treated by those who have the powers of government in their hands. It is a doing of wrong to the many by the few, or by a single oppressor, or tyrant. But, this species of wrong assumes a more definite character, when it proceeds from, or is accompanied with, a subversion, whether by force or by fraud, of the fundamental laws of the land, and especially of such part of those laws as protect against the will of prodigal and unfeeling rulers the property and persons of

the people. Most fortunately, however, for your humble Petitioner, the deficiency in his capacity adequately to describe the true character of Oppression is amply supplied by the written laws of his country, and to those laws, therefore, he begs leave to beseech the attention of your Honourable House.

It is well known to your Honourable House, that king James the Second was in lawful possession of the throne in the year 1688; that he was resisted in the exercise of his power by his subjects; that his daughter and his son-in-law were crowned king and queen in his stead; that his sons, the lineal heirs to the crown, and also their issue, were set aside for ever; that, the succession failing in his daughters, the lineal heritage of the Crown was transferred to the House of Brunswick; and that this series of events was, and is, called a *Glorious Revolution*.

Your Petitioner need not remind your Honourable House, that, in themselves, these doings were treasonable; that they were in direct violation of the rights of king James as settled by the laws and usages of the realm; and that they were justifiable on no other ground than that Resistance of Oppression is a right inherent with every people, who, when the social compact is violated, and set at defiance by their rulers, have a right to take into their own hands the powers of ruling, and, in adopting, or appointing, other rulers, to make such conditions with them as the circumstances of the case may appear to the people to be wise and proper.

Nevertheless, your Honourable House will, your Petitioner is persuaded, be ready to allow, that the punishment of king James, descending as it did to his heirs, was signally severe; especially when your Honourable House shall be pleased to recollect, that many of his natural born subjects, who thought him ill-treated, and who adhered to him accordingly, were proceeded against as traitors;

and that great numbers of those persons actually suffered death for their adherence to him; that is to say, for their remaining faithful to the king to whom they had been bound by oaths of allegiance, and to have rebelled or conspired against whom would, a little while before, have brought them to the gallows, or the block. If any where, then; if in the conduct of any king, or other ruler, in England, proofs of Oppression are to be found, it surely must be in the conduct of a king who was thus punished for his oppressive deeds. These oppressive deeds your Petitioner, therefore, humbly prays to be permitted to recite to your Honourable House, from the Act of Parliament in which they are distinctly enumerated and set forth, which Act was passed in the year 1688, and in the second session of the first year of the reign of king William and Queen Mary, the said enumeration being in the following words; to wit:

"Whereas the late King James the Second, by the assistance of divers evil Counsellors, Judges, and Ministers employed by him, did endeavour to subvert and extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom.

"1st. By assuming and exercising a Power of dispensing with and suspending of Laws, and the Execution of Laws, without consent of Parliament.

"2nd. By committing and prosecuting divers worthy Prelates, for humbly petitioning to be excused from concurring to the said assumed Power.

"3rd. By issuing and causing to be executed a Commission under the Great Seal for erecting a Court called, *The Court of Commissioners for Ecclesiastical Causes*.

"4th. By levying money for and to the use of the Crown, by the Pretence of Prerogative, for other Time, and in other Manner, than the same was granted by Parliament.

"5th. By raising and keeping a Standing Army within this Kingdom in time of Peace, without consent of

"Parliament, and quartering soldiers
"contrary to Law.

"6th. By causing several good Sub-
"jects, being Protestants, to be disarmed,
"at the same time when Papists were
"both armed and employed, contrary
"to Law.

"7th. By violating the freedom of
"Election of Members to serve in Par-
"liament.

"8th. By prosecutions in the Court
"of King's Bench, for matters and
"causes cognizable only in Parliament;
"and by divers other arbitrary and ille-
"gal courses.

"9th. And whereas of late years,
"partial, corrupt, and unqualified per-
"sons, have been returned and served
"on Juries in Trials, and particularly
"divers Jurors in Trials for High Trea-
"son, which were no Free-holders.

"10th. And excessive Bail hath been
"required of persons committed in
"criminal Cases, to elude the benefit
"of the Laws made for the Liberty of
"the Subjects.

"11th. And excessive fines have
"been imposed; and illegal and cruel
"punishments inflicted.

"12th. And several grants and pro-
"mises made of fines and forfeitures,
"before any conviction or Judgment
"against the persons, upon whom the
"same were levied.

"All which are utterly and directly
"contrary to the known Laws and Sta-
"tutes, and Freedom of this Realm."

These, then, were the misdeeds of
king James the Second; these were
his acts of *Oppression*; this was the
oppression for which he and his heirs
in the right line were so severely pun-
ished; this was the oppression for
having adhered to him after which
many hundreds and thousands of his
subjects were punished with loss of es-
tate, loss of liberty, and loss of life.

Far be it from the heart and mind of
your humble Petitioner to entertain
the thought, that, as far, at least, as re-
lated to the king and his family, this
measure of punishment was too great;
for, as your humble Petitioner will, by
and by, beg to be permitted humbly
to show to your Honourable House,

the maxims and precedents of all na-
tions and the Word of God itself agree
in sanctioning the utmost severity
against tyrants, under what style or
title soever they have existed or been
described. But, your humble Peti-
tioner, concurring in the principles of
these wise maxims and precedents, and
acknowledging, as he fully does, that
the measures adopted and persevered
in against king James and his heirs
were fully necessary, cannot refrain
from begging permission to express his
belief, that those principles were and
are immutable; that they must be, at
all times, fit to be entertained and che-
rished; that, circumstances calling for
it, there is no time when their applica-
tion may not be consistent with patri-
otism, morality, real religion, and es-
pecially with the laws of England.
Your Petitioner cannot bring his mind
to endure the idea, that the things,
which amounted to oppression in 1688,
are not always to be deemed as amount-
ing to Oppression. He can discover
neither justice nor sense in the punish-
ment of King James if, at a subse-
quent period, no man, and no body of
men, are, for similar, or greater op-
pression, to be liable to punishment
of any description. If nothing was,
for ever after, to be deemed oppres-
sion, your Petitioner would see, in the
events of 1688, a subject of lamenta-
tion and of the deepest shame, dis-
grace, and infamy, instead of a *Glo-
rious Revolution*. If prodigality, ex-
tortions, acts of cruelty, defiance and
subversion of the laws; if these, all
uniting, and each existing in the high-
est degree, were never, thenceforth, to
be deemed Oppression, the transac-
tions in 1688 would, to the plain un-
derstanding of your humble Petitioner,
appear to have been a tissue of sedi-
tions, conspiracies, treasons, robberies
and murders; and, as the inevitable
result of this reasoning, he should re-
gard the present King, not as his law-
ful Sovereign, but as an usurper of the
throne of the heirs of king James the
Second.

But, holding a directly contrary

opinion with regard to the immutability of the principles on which the Revolution of 1688 was founded; knowing that that Revolution was, in its motives and result, consonant to the dictates of natural justice as well as to the fundamental principles of the laws and usages of England your humble Petitioner acknowledges, that he owes true and faithful allegiance to His Majesty the now king; yet, while he makes this acknowledgement, and trusts that he comprehends with sufficient clearness the high and solemn obligations which that allegiance imposes, he can never separate from those obligations the principles on which the allegiance itself is founded.

It appearing, then, manifest to your humble Petitioner, that Oppression is always the same thing, in whatsoever time and by whomsoever practised; that its character is not less hateful in this than in any former age; that neither its qualities nor the legality of resisting it can be changed by the lapse of time, or by any difference in the number or title or rank of the persons who put it in force; that others as well as kings can be oppressors; that the lawful king himself may suffer from oppression in company with his subjects; and that, whensoever and wheresoever found to exist, and from whatsoever hand proceeding, the right of resisting it must always accompany its existence: these positions being, in the mind of your humble Petitioner, plain and settled truths, he begs leave to beseech the attention of your Honourable House, while he endeavours, through the means of a comparative enquiry, to arrive at a correct solution of the question, whether, according to the allegations and charges, contained in the afore-recited enumeration, which formed the only grounds of the expulsion of king James and his heirs, *Oppression does, or does not, now exist* in the United Kingdom of Great Britain and Ireland.

Pursuing the order adopted in the

aforementioned Act of Parliament of 1688, your Petitioner begs leave first to repeat the three leading charges against his Majesty, king James, which are in the following words; to wit:

- "1. By assuming and exercising a power of dispensing with and suspending of Laws, and the Execution of Laws, without consent of Parliament.
- "2. By committing and prosecuting divers worthy Prelates, for humbly petitioning to be excused from concurring to the said assumed power.
- "3. By issuing and causing to be executed a Commission under the great Seal for erecting a Court called, *The Court of Commissioners for Ecclesiastical Causes.*"

As to the *first* and *third* of these, your Petitioner has to observe, that nothing in the present day can possibly exist to afford any ground of comparison. The proceedings here complained of were wholly confined to matters of religion; the king was a Catholic, and, on that ground, was at variance with a great part of the people. He endeavoured to soften the operation of the penal laws against Catholics, and also against all Dissenters from the Established Church. His acts in this respect were unlawful; he carried the exercise of his kingly power too far; but, in justice, it ought to be recollected, that these acts were acts of *toleration* and *indulgence*, and by no means acts of Oppression; by no means acts of *extortion* or of *cruelty*.

As to the *second* charge, the imprisonment of the Bishops in the Tower, on a charge of *libel*, contained in a petition presented to him, and the causing of those Bishops to be indicted and tried, as libellers, in the Court of King's Bench; as to this charge, your Petitioner has, unhappily, but too ample materials, afforded by the present day, for the drawing of a comparison. It is fair, your Petitioner humbly presumes, to suppose, that, if this was not the *only* act of oppression of this kind, committed by king

James, such acts did not frequently occur in his reign, or, they would, at least, have made some figure in the enumeration of the king's mis-deeds. But, as to the acts of this kind, committed in the present day, and within a very few years last past, the difficulty is to state to your Honourable House, not what *has*, but what *has not*, been done, hostile to the *right of petition*, and under the pretence of preventing *libels*.

Your Petitioner attempts not to palliate the conduct of king James in committing the petitioning Bishops to the Tower. Your Petitioner is well aware, that that conduct was arbitrary and tyrannical. But, your Petitioner begs leave to express his doubt of its being *more* arbitrary or more tyrannical, and his still stronger doubt of its being *more* cruel, than was the violent attack upon the people in Lancashire, in March 1817, by an armed force; the beating and wounding of many of these people; the driving of great numbers of them, at the point of the bayonet, into jail and jail-yards; the keeping of them night as well as day in the open air under rain and in the dirt and without food; and, finally, the compelling of many of them to give bail to be of the peace and good behaviour for a great length of time; though, as is well known to your Honourable House, these people had committed no crime, were in the commission of no crime, but, on the contrary, were assembled, in a peaceable and orderly manner, in order to consult and agree on petitions to your Honourable House, in pursuance of one of those well known rights, which the law expressly and emphatically declares to be the "*birth-right*" of the people of England.

But, your Petitioner need not refer to particular instances, when it is notorious that the right of petition, where alone it is calculated to be of real use, is now wholly taken from the people; when it is notorious, that they cannot, without the utmost peril to their own lives, meet for the pur-

pose of petitioning against any act of oppression however grievous and however extensive in its effects; when it is notorious, that, if assembled for the purpose of petitioning, they are liable to be dispersed by force of arms, at the sole will of persons appointed by the advice of the Ministers of the Crown; when it is notorious, that, if they utter any words, though in the reading of a proposed petition, of which words those persons disapprove, they are liable to be so seized by those persons, or by armed men at their command, and, in case of resistance, *to suffer death*. When these things are so perfectly notorious as they are, your Petitioner will not insult the understandings of your Honourable House by any attempts to contrast them with the committing of six petitioning Bishops to the Tower of London.

Furthermore, however, upon this subject your Petitioner would beseech your Honourable House to bear in mind, that, though king James the Second did, in the arbitrary manner complained of, violate the right of petition in one particular instance, there appears to be no proof of his having, on any other occasion, much less as a general measure, forbidden the people to approach his Royal person with a statement of their complaints and grievances; while your Honourable House cannot but well know, that of that privilege the subjects of his present Majesty have, by the interposition of evil-minded counsellors of the Crown, long been deprived; it being notorious, that no subject of the king is now permitted to deliver his petition to the Regent, except at such times and in such manner and with such restrictions as render the delivery impossible to the far greater part of his Majesty's people; and, indeed, your Petitioner doubts not that your Honourable House will readily assent to the truth of the assertion, that, as far as regards the people generally, the right of petitioning the king is now entirely reduced to that of petitioning those

who have encroached upon and usurped his just prerogatives and authority, and who, for many years, have treated the right itself with every species of disregard, contumely, indignity and insult.

Considered as a proceeding against "*sedition libellers*" (as King James's Crown Lawyers termed the six Bishops), your Honourable House will, doubtless, remember, that these Reverend persons were offered by the king in Council to remain at large upon giving bail; that, having refused to give bail, as contrary to law in such cases, they were committed to prison; that, having been afterwards tried, in the Court of King's Bench, they were acquitted; and, that the Historian relates, "when the wished-for verdict of *Not Guilty* was pronounced, the intelligence was echoed through the hail, was conveyed to the crowds without, was carried into the city, and was propagated with infinite joy throughout the kingdom;" upon the recollection of which circumstances your Honourable House will need no suggestion from your Petitioner to enable you to see, in these proceedings, and in their effects upon the people, little other than a precedent for those in the case of Mr. HONE; but, in justice to the gentlemen of the long-robe in the reign of King James, your Petitioner cannot refrain from adding, that the six Reverend Prelates found able Lawyers boldly to defend them, and that some of the Judges (for it was a trial at Bar) though then holding their places during the pleasure of the king, declared themselves in favour of the prisoners.

Your Honourable House will please to recollect, that the Reverend Bishops refused to give bail on a charge of *sedition libel*, as being contrary to the law of the land; and yet, as your Honourable House, doubtless, need not be informed, those Reverend persons had for their advisers the most eminent Lawyers of that day, amongst which advisers were Sawyer, Pember-

ton, Pollixsen, Treby and Somers; names that may probably yet be remembered with as much veneration as those of Garrow, Shepherd, Sidmouth, and Ellenborough, though, in conformity with the doctrines of these latter, scores, and perhaps, hundreds of Englishmen have been, and now are, held to bail, or, in default thereof, shut up in a jail, on the charge (previous to conviction) of being *sedition libellers*.

Respectfully submitting to the judgment of your Honourable House, whether, as far as the question is illustrated by the afore-mentioned acts of Oppression of king James, Oppression now does, or does not, exist in the United Kingdom, your Petitioner proceeds to examine, in the same manner, the fourth head of accusation against that misguided king.

4. "By levying money for and to the use of the Crown, by the pretence of Prerogative, for other time, and in other manner, than the same was granted by Parliament."

Before your Petitioner enters on any thing in the way of comparison as to this part of the subject; before he proceeds to shew how the public money was raised and expended in 1688, compared with the manner, in which it is now raised and expended, he beseeches your Honourable House to indulge him, while he endeavours to show, that the closing words of this charge, to wit, "*in another manner than the same was granted by parliament,*" words, or words of somewhat the same import, your Petitioner finds in several other of the charges against king James; words, if misinterpreted, of extremely dangerous import; words that may be strained to mean, that, if these same acts of king James had been sanctioned by a parliament, those acts, though the very same acts, would not have been acts of oppression; words, which, if that sense of them were adopted, would sanction any deeds of tyranny, even to the putting out of men's eyes, or the cutting out

of their hearts, provided those deeds were perpetrated in pursuance of an act of Parliament.

Your Petitioner has read, and often heard, that the king *can do no wrong*, though the statute book tells him, that king James was *punished* most severely as a *wrong-doer*, and that even his lineal heirs were deprived of the Crown for the wrongs done to the nation by him. Nevertheless, as far as the law really goes, and also as far as common sense goes, your Petitioner is cheerfully disposed to concur in the doctrine that the *king can do no wrong*; but, he never can so far give up his rights as an Englishman, who has a *birth-right* in the laws; he never can so completely surrender his reason, as to allow, that a *Parliament* can do no *wrong*, even though such Parliament were really legally chosen by the Commons of the realm.

Leaving what he has further to submit on this subject to accompany his humble representations, relative to another article of charge, your Petitioner begs your Honourable House to bear in mind that this *fourth* charge against King James, is this, that he stepped aside from the letter of a money grant, as to the *time* and *mode* of raising taxes. The accusers are so very indefinite as to this matter, that it is next to impossible for your Petitioner to guess at what they mean. He has no doubt, that King James raised money on the people by arbitrary means; but, of this your Petitioner is very sure, that the *Juries* were not set aside in the deciding upon the *quantity* of men's property that should be annually, and every year, taken from them; he is very sure, that there were no contracts between landlord and tenant violated, by compelling the tenant to pay part of his rent to the king; he is very sure, that there were no boards of commissioners to over-haul men's books and papers, and to decide, at their pleasure, on the sum that every man should pay; he is very sure, that a tax on the land was never made perpetual and then put

up to sale by the king, thus actually taking away for ever a part of every real estate; he is very sure, that the jails of England were not filled with debtors to the king; he is very sure, that men were not, under any circumstances, punished with *death* or *transportation* for being engaged in *smuggling*; he is sure, that king James never had a minister impudent and insolent enough to avow in open parliament, that the use of one part of the *standing army* was to assist in *collecting the taxes*.

But, though your Petitioner has no precise facts to enable him to state to your Honourable House any particulars as to the *times* and *manner* of king James's raising money on his people, your Petitioner is enabled to state, very precisely, what was the amount of the money raised upon the whole nation, annually, in the reign of this Oppressor, and that that amount was, at the close of his oppressive career, only *two millions one hundred thousand pounds*! Your humble Petitioner is afraid, that your Honourable House, accustomed as your ears are to the sublime and thundering sounds of *hundreds of millions*, will hardly be able to bring your senses down to the comprehension of what your Petitioner has now the honour to state. He fears, that your Honourable House will suppose him to be adverting to some little grant to an East India Company; to a German Auxiliary; to a Military Chief; to the erection of a Monument; or the repairing of a Speaker's House. But, your Petitioner most humbly beseeches your Honourable House to be assured, that he is taking the liberty to address to your Honourable House a precise statement of the annual amount of the whole of the money that the Oppressor, James the Second, raised on his people for all the purposes connected with his government, army, navy, civil list, and every other purpose; and your Petitioner need not remind your Honourable House, that we now pay, on our *salt alone*, nearly *two-thirds* as

much as this whole sum, and that we pay on our *beer alone*, more than *four times* as much as this whole sum. In the reign of this Oppressor, the people paid, yearly, on an average, *four shillings* each in taxes; and, as your Honourable House well knows, they now pay yearly more than *four pounds* each on an average, including every man, woman, and child. In the reign of this Oppressor, the labouring man paid, probably, *sixpence* in taxes out of every eighteen shillings of his earnings; and your Honourable House well knows, that he now pays *ten shillings* out of every eighteen shillings of his earnings. In the reign of this Oppressor, the Poor Rates were estimated at *two hundred and fifty thousand pounds a year*, or *one quarter* of a million; and your Honourable House well knows, that the Poor Rates now amount to upwards of *twelve millions* a year.

Therefore, though your Petitioner by no means attempts to justify the conduct of king James in any of his measures for getting the money of the people into his own hands, it is, your Petitioner humbly presumes to think, clearly true, that, after all has been said, King James's could not have been a very cruel kind of pecuniary oppression, or, that, if it was such, our language affords no words sufficient to describe the taxing system of the present day.

Aware of the loudly professed attachment of your Honourable House to the principles which placed the House of Brunswick on the Throne, your Petitioner would fain anticipate a feeling of indignation in your Honourable House at the bare mention of a *standing army in time of peace*.

"5. By raising and keeping a Standing Army within this Kingdom in time of Peace, without consent of Parliament, and quartering soldiers contrary to Law."

King James, as far as your Petitioner has been able to collect, had an army of about *twelve thousand men*.

Comparisons, in such cases, being odious, your humble Petitioner will, upon this subject, presume to offer none. But, as your Honourable House will perceive, king James was accused of *quartering his soldiers contrary to law*; upon which your Petitioner has only to observe, that Blackstone in his Commentaries, says: "Nothing ought to be more guarded against in a free state, than making the military power, when such a one is necessary to be kept on foot, a body too distinct from the people. LIKE OURS, therefore, it should be wholly composed of *natural subjects*; it ought only to be enlisted for a short limited time; the soldiers should live *intermixed with the people*; no separate camp, no barracks, no inland fortresses *should be allowed*." The head of your Petitioner droops, as he transcribes these words: that the heads of your Honourable House will droop when you shall hear them read, is more than your humble Petitioner will venture to say.

King James did, indeed, up keep a standing army in time of peace; but his army was wholly composed of *natural subjects*, and your Petitioner hopes, that, with all the vices of that king, he would not have caused Englishmen to be publicly flogged, in the town of Ely or any where else, under the guard of German bayonets and sabres. King James did keep up a standing army in time of peace; but your Petitioner hopes, and believes, that king James, Oppressor as he was, never employed any part of that army to collect taxes in Ireland nor to attack his English subjects, met in a peaceable and orderly manner, to agree on humble petitions to be presented to Parliament. King James did keep up a standing army in time of peace; but, tyrant as king James was, he never employed his officers and soldiers as spies on his people, and never cut the soldiers off from all intercourse with the people by making it *death* for the latter to attempt what may be construed into a *seducing* of

the former. King James did keep up a standing army in time of peace; and (your humble Petitioner begs and prays your Honourable House well to remember the fact) that army, clearly seeing the liberties of their country in danger, abandoned king James and sided with their fathers, brothers and friends.

Your Petitioner, aware that king James kept a standing army in time of peace "*without consent of parliament*," will now proceed humbly to state to your Honourable House the further suggestions of your Petitioner's mind relative to that saving clause of this charge. It will not, your Petitioner humbly presumes, be believed, affected to be believed, or by any means be held forth, by persons in their sober senses, that Oppression is not Oppression if perpetrated by a body of men, any more than that murder is not murder if perpetrated by a band instead of by a single ruffian. Neither will it, your Petitioner is sure, be pretended to be believed, that Parliaments *can do nothing that is wrong*; or, that the nation is bound to acquiesce in their decisions, be those decisions what they may, be the Houses constituted as they may, and be the manner what it may in which the Members may have been collected together. Your Petitioner is sure that this will not be pretended to be believed, especially by any Members of your Honourable House; for then you would be reduced to the necessity of acknowledging, that all those acts were legal and right, which were done by the Long Parliament, amongst which acts were the trying and beheading of a king and the establishing of a Republican Government in England. For these reasons, which appear quite conclusive to the mind of your Petitioner, he humbly presumes to express his lively hope, that your Honourable House will fully concur with him in the opinion, that Oppression is still Oppression, whether with or without consent of Parliament; and that those acts, which amounted to Oppression in king James, must, if

done by a Parliament or through a Parliament or with a Parliament, be still deemed acts of Oppression, and must, in reason and justice, bring down on the heads of the perpetrators all the consequences naturally belonging to deeds of a nature so malignant and in their effects so extensively mischievous.

Proceeding, then, upon the grounds pointed out by reason and by plain common sense, namely, that a body or band or combination of men may, to all intents and purposes, be as corrupt, as foolish, as obstinate, as perverse, as rapacious, as malignant, as tyrannical, as much usurpers of unlawful power, and as justly obnoxious to the vengeance of an injured people, as any single man, under whatever title, can possibly be; proceeding upon these grounds, your humble Petitioner beseeches your Honourable House to be well persuaded, that the people of the United Kingdom, in making a comparative estimate of the deeds of king James and those of the present day, will not, if they should find the former exceeded in turpitude and cruelty by the latter, deem their claim to redress and justice as being barred by the circumstance, that the deeds of the present day may have been perpetrated by a combination of borough-dealers and not by the king or his family. Your Petitioner beseeches, prays, implores your Honourable House to believe and to be convinced, that there are none of His Majesty's subjects, who are so very weak of intellect, as to think that "*consent of parliament*" can make a dungeon, a halter, or an axe, something other than a dungeon, a halter, or an axe.

King James, of whose guilt as an Oppressor no man doubts less than your humble Petitioner, was further charged with the offences following, to wit:

8. By prosecutions in the Court of King's Bench, for matters and causes cognizable only in Parlia-

- "ment; and by divers other arbitrary
 "and illegal courses.
- "9. And whereas of late years, partial,
 "corrupt, and unqualified persons
 "have been returned and served on
 "Juries in Trials, and particularly
 "divers Jurors in Trials for High
 "Treason, which were not Free-hold-
 "ers.
- "10. And excessive Bail hath been re-
 "quired of persons committed in cri-
 "minal Cases, to elude the benefit of
 "the Laws made for the Liberty of
 "the Subjects.
- "11. And excessive Fines have been
 "imposed; and illegal and cruel pun-
 "ishments inflicted.
- "12. And several grants and promises
 "made of Fines and Forfeitures, be-
 "fore any conviction or judgment
 "against the persons, upon whom
 "the same were levied."

With regard to the 8th charge, your Petitioner believes, that it alluded solely to the case of the Earl of Devonshire, who had been prosecuted for a *misdemeanor* in the usual course of legal proceedings, while the Earl contended, that the court had no jurisdiction in such case, he having *Parliamentary privilege*. Your Petitioner's humble capacity can discover no good ground for this exemption of Members of either House from liability to the usual course of law. But, if this proceeding was wrong; if it did deserve to be styled an act of Oppression, your Petitioner begs leave to remind your Honourable House, that a Noble Lord, a gallant Naval Commander, a faithful representative of a public-spirited city, has, in this our day, not only been prosecuted in the Court of King's Bench for alledged misdemeanours, but that he has been seized, on the ground of such charge, even within the walls of your Honourable House; and that your Honourable House, so far from complaining, has sanctioned and given complete countenance to, all these and other proceedings of the like character, and has refused to adopt any proceedings against the Judges,

and even to enquire into their conduct, when urged so to do by the party complaining.

The returning of men to serve on Juries, which men were not freeholders, and which men were *partial* and *corrupt*, as is specified in charge the 9th, was an offence which it would be impossible to *palliate*; but, your Petitioner finds here no complaint relative to the packing of *farmers, tenants* of those who were interested in putting innocent men to death; he finds nothing of *Special Juries*; and he thinks that no Judge in the reign of king James, not even the corrupt and bloody JEFFRIES, who was actually kicked and cuffed by the people at the Revolution 'till he died; your Petitioner thinks, that even this bold and bloody man, would not have dared to state in open court, that the Master of the Crown Office (a person selected by the advisers of the Crown) had an absolute right to *nominate*, that is to say to *choose*, all the persons to serve on *Special Juries*, that is to say, those juries which the Crown Prosecutors may, and do, choose to try all the alledged or pretended misdemeanours which they choose to prosecute. Your Petitioner, however, after what has so recently transpired, with regard to juries; after the struggles of Mr. WOOLER and Mr. HONE, and after the official report to the Common Council of London, has no need to waste the time of your Honourable House in any comparison relative to the state of juries in the reign of king James and of those of the present day. But, it is impossible to hear this charge of 1688, without observing, that king James is not charged with having transported numerous persons *without a trial by a Jury of any description*, which, as your Honourable House well knows has been now done for many years past, and is still done, though, as your Petitioner confesses, not "*with- out consent of Parliament*"; for it has been, and is, done in virtue of the 14th and 15th clauses of an act

passed in 1807, and which act was the last gift which Mr. Grattan's public-spirit, and his gratitude to his native country, induced him to bestow upon that country.

With regard to the requiring of *excessive bail* and to the imposing of *heavy fines*, your Petitioner has no particulars to enable him to judge of the crimes of king James in this respect; and, therefore your Petitioner cannot say, whether king James's Judges did *more than fine a man a thousand pounds*, keep him in a felon's jail *two years*, and make him give bail in *three thousand pounds* with two sureties in one thousand pounds each, for the peace and good behaviour for *seven years afterwards*, and all this for *having reprobated the act of flogging English Local Militia men, in the heart of England, under a guard of German soldiers*. Your Petitioner cannot say, whether king James's Judges did *more than* has been done to Messrs. Winterbotham, White, Lovel, Leigh and John Hunts, and to so many others, that, were your Petitioner to name the half of them, and to state the nature of their cases, his Petition would be exceeded in bulk by scarcely any compilation except that of the Acts of your Honourable House.

Your Petitioner cannot, in advertising to the 12th charge against king James, discover what could be the reason for his making *grants and promises of fines and forfeitures before conviction*; that is to say, your Petitioner cannot conceive, why his said Majesty should have taken upon *himself* the odium of doing this, since, as your Honourable House well knows, *acts of Parliament* might easily have been made for the purpose of supporting hundreds of persons by the means of a share in fines and forfeitures. Your Honourable House knows, that under the stamp-laws, and numerous other revenue laws, the fines and forfeitures might have been fairly divided between the informer and the Crown; that thus, every man

might have been made, *by law*, a spy upon his neighbour: that here might, thus, have been established a complete co-partnership of plunder between the makers of the laws and the vile wretches who became their informers; and the only reason, which, after much thought on the subject, the mind of your Petitioner can discover for king James's not having resorted to these simple means, is, that, in *his* day, no Parliament could be found capable of passing such Acts.

Your Petitioner, coming now to the only remaining charge against king James, has humbly to beg the pardon of your Honourable House for having broken the order of statement, and reserved the seventh charge to be noticed the last; but, your Petitioner, taught by long attention and observation, and admonished by evidences of a nature less intellectual, has so perfect a knowledge of the fine feelings, of the extreme sensibility, of your Honourable House, with regard to all matters, which are, in the most distant degree, connected with *the purity* of your Honourable House, that he has deferred, to the last possible moment, the charge on that head, against king James, a subject which he even now approaches not without the most tremulous anxiety. Nevertheless, emboldened by reflecting on the great indulgence of your Honourable House, your Petitioner will now proceed humbly to state the said charge, to wit:—

“7. *By violating the freedom of election for Members to serve in Parliament.*”

Your Petitioner begs leave to observe, that the word *by*, here made use of, refers to the preamble of the list of charges, which preamble declares, that “the late king James the Second, by the assistance of divers *evil counsellors, judges, and ministers*, did endeavour to *subvert the Protestant Religion and the Laws and Liberties of this kingdom.*” And then follows the charges, stating *the means*, which he employed; and, amongst

these means, was, *violating the freedom of election* of Members to serve in Parliament; so that, as your Honourable House will clearly perceive, to *violate the freedom of election*, is to endeavour, to *subvert the laws and liberties of the kingdom*.

It is alledged, with regard to this description of king James's acts of Oppression, that he, by divers means, did, in *two or three* instances, so model the boroughs and corporations to his liking, that the election of the Members, in those places, was, "*in reality, nothing different from the king's naming the members*;" in which opinion of the Historian your Honourable House will readily concur; but, then, your Petitioner humbly hopes, that your Honourable House will not think that, if Members be nominated, or named, by *any other* individual, or individuals, whether Lords or Rich Commoners, and if the people, the commons of the Kingdom, have no more to say in the matter than have the Negroes of Africa; if such be the case, your Petitioner humbly hopes, that your Honourable House will not think, and not suppose that anybody else will think, that the people are, in the smallest degree, benefited by this difference in the title or rank of the nominators. Your Petitioner does hope, that, were it only for decency's sake, a nomination of Members by a king will not be thought *more* injurious or *more* dishonourable to his people, than a nomination by Jews, Nabobs, Bank-note makers, or even by men, whatever their titles may be, who have acquired immense estates through the means of grants from the Crown, and of enormous Sinecures and Pensions. Your Petitioner does hope, that king James might be allowed to nominate *as many* Members as a *late Purser in the Navy*, without exciting any *more* hatred and abhorrence, and without incurring any *greater vengeance*, than would be due to that Purser.

Your humble Petitioner, in order to obtain light upon this important sub-

ject, has, with all becoming respect and reverence, looked into the records of your Honourable House, where he finds a Petition, presented by the Honourable Charles Grey, in the year 1793, affirming and *offering to prove*, that a *very great majority* of the Members of the then Honourable House were actually nominated by the *private patronage* of *one hundred and sixty-two persons*; and your Petitioner begs to be permitted humbly to state, that he has never understood, that this practice of private nomination has, since that year, experienced any diminution. This species of Oppression might, for any thing by your Petitioner known to the contrary, have been carried to great lengths in the time of king James; it might have shown a very bold and profligate face; but your Petitioner humbly begs leave to express his doubts of the fact, that the selling and buying of seats, and the bartering of votes in Parliament for places and pensions, were, in king James's reign, *more* "notorious than the Sun at noon-day;" while he is very sure, that, in king James's reign, no men ever had the infamous effrontery to hold forth that notoriety as a reason for awarding impunity to the perjured wretches guilty of the practice.

The accusers of king James, besides making the afore-mentioned specific charges, add thereunto the general charge of having followed "*divers other arbitrary and illegal courses*." Your Petitioner has no doubt that king James's *other* courses were extremely arbitrary and illegal; but, your Petitioner can hardly believe, or, at least, he has never been able to discover, that king James sanctioned, and abetted, and protected a Company of Merchants in refusing payment of their promissory notes and in thus committing a daring fraud upon the whole nation. Your Petitioner has never heard, that king James ever made any new law of treason; that he ever entertained projects for making the poor emigrate by force, or for preventing

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them from enjoying the pleasures of the marriage-bed; that he ever attempted, thought of, or dreamt of, shutting up in dungeons any of his subjects whom he pleased, when he pleased, where he pleased, and so keeping them shut up as long as he pleased, without any other cause assigned or to be conjectured than his own absolute will; and, if the fact had warranted it, well assured is your Petitioner, that king James's accusers would not have failed to charge him with having hired spies to act as pretended associates of his discontented people, and thereby to instigate these latter to the commission of pretended treasons, and that, too, for the purpose of procuring their denunciation and death, and, thereby, confirming his own despotic sway. King James, notwithstanding all his faults, all his Oppressions, had, as your Honourable House must well know, still many faithful and devoted adherents in all parts of the kingdom; but your humble Petitioner is convinced, that your Honourable House will be satisfied, that, if King James had been even suspected of being able to endure the idea of resorting to hired and perjured spies and of carrying on with such monsters a traffick in human blood, he would not have had one single adherent upon the face of the whole earth, but that every just and good man in the world would have envied the hand that should have carried a dagger to his heart.

Your Petitioner has now humbly stated to your Honourable House such facts, observations and reasonings as appeared to him necessary to the solution of the interesting question mooted at the out-set of this his humble petition, namely, *whether Oppression now does, or does not, exist in the United Kingdom*; a question of a nature too nice in itself and much too important in its consequences to suffer your Petitioner to presume to decide upon it; but, in most respectfully submitting this question entirely to the wisdom of your Honourable House, he begs leave to declare to

your Honourable House, in the most solemn manner, that, if it should unhappily ever become manifest to him, that Oppression does exist in that country, the laws of which are his *birth-right*, he will, to the utmost of his power, exercise, and advise and urge others to exercise, the immutable right and duty of *Resistance*, as acknowledged and established by the laws and usages of England.

This being, therefore, a possible contingency, your Petitioner will now proceed most humbly, and with the greatest deference, to state to your Honourable House his notions with regard to the *means*, the use of which is justifiable in the *Resistance of Oppression*.

Your Honourable House has not to learn, that, in the case of King James, secret conspiracies were formed by the discontented; that secret correspondencies were carried on with the chief of a foreign nation; that that chief was invited to invade England with a foreign army; that he did, so attended, invade England; that those who had been confided in by the king betrayed him; that his military commanders, in breach of their oaths to the king, went over, with their troops, to the invader; that, in short, there were no means, *either of force or of fraud*, that were not employed, or ready to be employed, against this Oppressor of the people, this violator of the laws of the land, this subverter of the rights and liberties of the kingdom; and, that those men, who had acted the most forward and officious part against their late sovereign, such as the then Earl of Devonshire, were rewarded with new titles, or higher titles, or other distinctions or emoluments.

It will not, your Petitioner is sure, be pretended, that this *Resistance* would not have been as lawful, and quite as honourable, if it had been made by the people of England without the aid of a Dutch army, and without the consent and concurrence of any foreigner whatsoever; for, it would, as your Honourable House will

clearly perceive, be absurd and monstrous to suppose, that the Oppression was to remain for ever un-resisted, until Resistance could obtain the approbation of some foreign Power; and, indeed, your Honourable House will further perceive, that a change of dynasty effected by a foreign force is in danger of appearing more like a *Conquest* than a *Revolution*. On the supposition, that the king's officers and soldiers had remained faithful, and that the Dutch army had been defeated, your Honourable House will certainly not believe, that the *Right of Resistance would have ceased with that defeat*, but will be convinced, that, seeing that the king was irresistible by open force, the people would have had a perfect right to assail him with *any means within their power*, and that the most laudable means would have been the most effectual and the most speedy.

Upon a subject so very important as this, involving such serious considerations of a moral and religious nature, your petitioner will not trust his own pen, but will beseech your Honourable House to permit him to weave into his humble Petition a passage of a Cheap-Tract written in the time of the Protector, CROMWELL, and this Tract your Petitioner appeals to with the more confidence in the soundness of its principles, seeing that it was published in French, in 1801 and 1802, by Cox and Baylis, London, for a Monsieur BOUVET, who was the translator; that it was printed for the purpose of being circulated gratis in France; and that the translation and the printing were paid for by the government. Your Petitioner having a perfect knowledge of all these facts, can have no scruple in making a quotation from the said *Cheap Publication*, in all the principles of which, he doubts not, your Honourable House will fully concur, seeing that they are built on the precepts and examples of the greatest and most virtuous of mankind.

“TERTULLIAN says, that, against
+ “greatest virtue. So were most of

“common enemies, and those that are
“traitors to the Common-wealth,
“every man is a soldier. The Gre-
“cians, as XENOPHON tells us, who
“suffered not murderers to come into
“their Temples, in those very Temples
“erected statues to those that killed
“tyrants, thinking it fit to place their
“deliverers amongst their Gods. The
“Greeks, says CICERO, attributed the
“honours of the Gods to those
“that killed tyrants: what have I
“seen in Athens and other cities of
“Greece! What religion paid to such
“men! What songs! What praises!
“By which they were consecrated to
“immortality and almost deified! In
“Athens, by SOLON's law, death was
“not only decreed for the tyrant that
“oppressed the State, but for all those
“who took any charge, or did bear
“any office, while the tyranny re-
“mained. PLATO tells us the course
“they took with tyrants in Greece.
“If, says he, the tyrant cannot be ex-
“pulsed by accusing him to the citi-
“zens, then by secret practices they
“dispatch him.

“Amongst the Romans, the VA-
“LERIAN law was, that, whosoever
“took magistracy upon him, without
“command of the people, it was law-
“ful for any man to kill. PLUTARCH
“makes this law more severe: that
“it was lawful, by that law, before
“any judgment passed, to kill him
“who but aspired to tyranny. Like-
“wise the Consular law, which was
“made after the suppression of the
“tyranny of the Decemvirate, made
“it lawful to kill any man that went
“about to create Magistrates, with-
“out reference and appeal to the peo-
“ple. By these laws, and innumera-
“ble testimonies of authors, it ap-
“pears, that the Romans had learned
“from the Grecians what was the na-
“tural remedy against a tyrant; nor
“did they honour those less whodurst
“apply the remedy. POLYBIUS says,
“speaking of conspiracies, those that
“conspire against tyrants are not the
“worst and meanest of the citizens.
“but the most generous and those of
“those who conspired against Julius

"Cæsar: he himself thought BRU-
 "tus worthy to succeed him in the
 "empire of the world. And CICERO,
 "who had the title of *father of the*
 "*country*, if he were not conscious
 "of the design, yet he, at least, af-
 "fected the honour of being thought
 "so. What act, says he, more glo-
 "rious, more worthy of eternal me-
 "memory hath been done in the world!
 "In this design I willingly suffer my-
 "self to be included. He tells us
 "what all virtuous Romans thought
 "of the fact as well as he. All good
 "men, says he, as much as lay in
 "them, killed Cæsar: some wanted
 "capacity, some courage, others op-
 "portunity, but none the will to do
 "it.—But yet we have not declared
 "the extent of their severity against
 "a tyrant. They exposed him to
 "*fraud as well as to force*, and left
 "him no security in *oaths and com-*
 "*pacts*; that neither law nor reli-
 "gion might defend him that violated
 "both. BRUTUS says, with a tyrant
 "the Romans think that no faith
 "should be kept, and no religion ob-
 "served of an oath. SENECA gives
 "the reason: Whatever, says he,
 "there was of mutual obligation be-
 "tween us, his destroying the laws of
 "human society has dissolved, so
 "those that thought fraud might be
 "practised against an enemy; those
 "that professed to manage their arms
 "with justice as well as courage;
 "those that thought faith ought to be
 "kept with the perfidious; yet they
 "all thought that a tyrant could re-
 "ceive no injustice but to be let live,
 "and that the most lawful way to de-
 "stroy him was the readiest, whether
 "by force or by fraud; for, against
 "beasts of prey men use the toil and
 "the net as well as the spear and the
 "lance.

"Many more testimonies might I
 "bring; for it is harder to make
 "choice than to find plenty; but, I
 "shall conclude with authorities that
 "are much more authentic, and exam-
 "ples we may much more safely imi-
 "tate.—The Law of God itself de-
 "creed certain death to him that would

"do presumptuously and submit to no
 "decision of justice. Who can read
 "this, and think that a tyrant ought
 "to live? But, certainly, neither
 "that nor any other law were to any
 "effect, if there were no way to put
 "it in execution. But, in a tyrant's
 "case process and citation have no
 "place, and, if we wait for *formal*
 "remedies against him, we are sure to
 "have none. There is small hopes
 "of justice, where the malefactor has
 "the power to condemn the judge.
 "—All remedy, therefore, against
 "a tyrant is EHUD's dagger, without
 "which all laws were fruitless and we
 "helpless. This is the high Court of
 "Justice whither MOSES brought the
 "*Egyptian*; whither EHUD brought
 "*Eglon*; whither SAMPSON brought
 "the *Philistines*; whither SAMUEL
 "brought *Agag*; whither JEHODA
 "brought *Athaliah*; whither JAEI
 "brought *Sisera*; and whither JEHU
 "brought the she-tyrant *Jezebel*, who
 "had caused NABOTH to be murdered
 "on a *false charge of blasphemy*—
 "The example of EHUD shows us
 "the natural, and almost the only,
 "remedy against a tyrant, and the
 "way to free an oppressed people
 "from the slavery of insulting *Moa-*
 "*bites*: it is done by prayers and
 "tears, with the help of a dagger; by
 "crying to the Lord, and the left
 "hand of an EHUD. Devotion and
 "action go well together; for, believe
 "it, a tyrant is not of that kind of
 "Devil that is to be cast out only by
 "fasting and prayer. And here the
 "Lord shows us what he thought a fit
 "message to send a tyrant from him-
 "self: a dagger of a cubit in his
 "belly: and every worthy man that
 "desires to be an EHUD, a deliverer of
 "his country, *will strive to be the*
 "*Messenger*."

Your Petitioner beseeches your Ho-
 nourable House to believe, that mere
 names and sounds are no longer capa-
 ble of amusing us; that we are indig-
 nant at the thought of being called
 upon to execrate King James for
 having disarmed certain Protestants
 and for having armed Papists, while

we are called upon to applaud those who have disarmed, generally, the *natural born* subjects of the king, both Protestants and Papists, while they have brought in, armed, and kept on foot, for many years, in the heart of the kingdom, an army of *foreign Papists*; and that we are not such brute beasts as to think that we have gained any thing, by the expelling of a king, who aimed at nominating Members to the House of Commons, while we see, that the descendants of those, who took the lead in that expulsion, and who were well rewarded for their services, now take the lead in *actually nominating a complete Majority of your Honourable House*, and while we are reprobated, abused, insulted, and most cruelly punished, for complaining of this intolerable grievance.

Therefore, having now most respectfully submitted to your Honourable House a frank exposition of his thoughts relative to the Right of Resisting Oppression, and relative to the means that may lawfully be employed in such Resistance, whether the Oppressor be one or whether he be many, your Petitioner thinks it his duty to add, in terms the most distinct, that he imputes not tyranny nor Oppression to His Majesty, or to any part of His Royal Family; and further, that he most anxiously wishes, hopes, and therefore prays, that your Honourable House will be pleased speedily to remove every doubt upon this subject from his mind, and from the minds of his Countrymen, by taking from the Borough-Usurpers the power of choosing the Members of your Honourable House, and by restoring to us, the people at large, those Annual Parliaments and that Universal Suffrage, which are ours in reason, in justice, and by the Laws of the Land, and without which we can

never enjoy the fair fruits of our labour nor have an hour's security for our personal liberty or our lives.

And your Petitioner,
As in humble duty bound,
Shall ever pray,

WM. COBBETT.

To the Public-spirited and Independent Electors of Westminster.

GENTLEMEN—The very flattering reception that I experienced this day in offering myself as a CANDIDATE for your populous and respectable City, and the liberal and disinterested Support I have received from many new and unexpected quarters, afford me the strongest assurances of complete and distinguished Success.

I was not mistaken when I calculated on your public spirit and independence, and the salutary lesson that was this day given to those who would monopolize your favour, and exclude every one who is not within the circumscribed sphere of their influence, cannot fail of producing a suitable impression in the quarter where it is most wanted and desired. My course is plain and direct, and disdains all subterfuge or studied ornaments of speech—Universal Suffrage and Annual Parliaments, and an opposition to all laws that have a tendency to curtail the Liberties of the People, and oppress and starve the Poor. If you feel in earnest upon these great and important points, I may confidently rely upon your support: if not, it is of little consequence for whom or what Party you give your votes; all hopes of emancipating our Country from its present disgraceful thralldom is at an end, and our ruin and degradation is complete.

I am, Gentlemen,

Your faithful and devoted Servant,
HENRY HUNT.

Crown and Anchor Tavern, June 1, 1818.

Entered at Stationers' Hall.

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